

70-121-RA #59 **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Ella Mackey Bussey, Bennett Bussey, Clarence M. Allison, Gladys M. Allison, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 and B-1 to a B-1 and B-2.

Error in original zoning; a genuine change in condition.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

James G. Stratakis, Contract purchaser
Address: Warren Road, Cockeysville, Maryland 21030

W. Lee Harrison, Petitioner's Attorney
Address: 306 W. Joppa Road, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of November, 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of January, 1970, at 11:00 o'clock.

Edward D. Hardesty, Deputy Zoning Commissioner of Baltimore County

70-121-RA #59 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Gladys M. Allison, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.5A, 2a (10) to permit five (5) entrances instead of two as allowed for, a total frontage of 735 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Failure to grant this variance will result in practical difficulties and undue hardship upon the petitioners.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

James G. Stratakis, Contract purchaser
Address: Warren Road, Cockeysville, Maryland 21030

W. Lee Harrison, Petitioner's Attorney
Address: 306 W. Joppa Road, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of November, 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of January, 1970, at 11:00 o'clock.

Edward D. Hardesty, Deputy Zoning Commissioner of Baltimore County

Re: Petition for Reclassification from R-10 and B-R Zones to B-L Zone - Variance to Sec. 405.5-A 2a (10), S/W Cor. Road and Church Lane - 8th District - Ella Mackey Bussey, Bennett Bussey, Clarence M. Allison and Gladys M. Allison, Petitioners

Before Zoning Commissioner of Baltimore County No. 70-121-RA

ORDER OF DISMISSAL

The petitioners in the foregoing case have withdrawn the petition and the matter is DISMISSED without prejudice.

Edward D. Hardesty, Zoning Commissioner of Baltimore County

DATE 3/10/70 BY J. A. Harrison, Jr. ASSISTANT

Date: March 19, 1970

LAW OFFICES
W. LEE HARRISON
306 WEST JOPPA ROAD
TOWSON, MARYLAND 21204

Edward D. Hardesty, Esq., Deputy Zoning Commissioner, County Office Building, Towson, Maryland 21204

Re: York Road and Church Lane, 8th Election District, Petition No. 70-121-RA

Dear Mr. Hardesty:

Please withdraw the Petition for Reclassification, only, filed in the above captioned matter.

Very truly yours,
Law Offices of W. Lee Harrison
By Charles E. Harrison

CEB:b

LAW OFFICES
W. LEE HARRISON
306 WEST JOPPA ROAD
TOWSON, MARYLAND 21204

March 9, 1970

Mr. Edward D. Hardesty, Zoning Commissioner, County Office Building, Towson, Maryland 21204

Re: Case No. 70 121 RA Petition for Reclassification and Variance

Dear Mr. Hardesty:

Please dismiss without prejudice the Request for Variance remaining from the above captioned case.

Very truly yours,
W. Lee Harrison

cc

MAR 9 70 AM

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6428, TOWSON, MD. 21204

Description to Accompany Zoning Application Reclassification from B.R. to B.L.

August 21, 1969

Beginning for the same at the intersection formed by the south side of Church Lane and the west side of York Road, 66 feet wide, and running thence binding on the south side of Church Lane (1) North 77° 35' 55" West 111.34 feet, thence leaving the south side of said Church Lane and binding reversely on the fourth and part of the third lines of the land in a deed from Loretta McNicholas to John E. Barron and recorded in G.L.B. 2005 folio 491 the two following courses, viz: (2) South 10° 30' West 138.79 feet, and (3) North 78° 30' West 47.62 feet to intersect the existing zoning line between R-10 and B.L., thence binding on part of said zoning line (4) South 13° 45' East 283.49 feet to intersect the outline of the land in a deed from John E. Logan et ux to Ralph E. Ensor et al and recorded in R.R.G. 4369 folio 429, thence binding on the outline of the land in said last mentioned deed and binding on the outline of the land in a deed from Herbert C. Cupt et ux to Robert Carrel and recorded in O.T.G. 4692 folio 411 the three following courses, viz: (5) South 87° 49' 53" East 103.90 feet, (6) North 13° 45' West 67.59 feet and (7) North 76° 15' East 100.00 feet to the west side of said York Road, thence binding on the west side of said York Road North 13° 45' West 301.60 feet to the place of beginning.

Containing 1.471 acres of land more or less.

The bearings in the above description are referred to those in deed from Henry B. McGloone to Bennett F. Bussey and recorded in L.M.B. 222 folio 198.

From The Office Of
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6428, TOWSON, MD. 21204

Description to Accompany Zoning Application Reclassification from R-10 to B.L.

August 18, 1969

Beginning for the same at a point on the south side of Church Lane 233.99 feet measured westerly from the west side of York Road 66 feet wide and running thence binding on the south side of said Church Lane (1) North 77° 35' 55" West 312.54 feet, thence leaving said Church Lane and binding on the outlines of a deed from Henry B. McGloone to Bennett F. Bussey and recorded in L.M.B. 222, folio 198 the four following courses viz: (2) South 5° 00' West 633.00 feet, (3) North 75° 15' East 138.60 feet, (4) North 86° 45' East 67.65 feet and (5) South 87° 49' 53" East 300.47 feet to intersect the existing zoning line between R-10 and B.L., thence binding on part of said line (6) North 13° 45' West 10.20 feet, thence binding on the outlines of the land conveyed in a deed from John E. Logan to Ralph E. Ensor and recorded in R.R.G. 4369 folio 429 the three following courses viz: (7) North 87° 49' 53" West 42.02 feet (8) North 13° 45' West 100.00 feet and (9) South 81° 49' 53" East 42.02 feet to intersect the above mentioned zoning line between R-10 and B.L., thence binding on part of said line (10) North 13° 45' West 283.49 feet, to intersect the third line of the land conveyed in a deed from Loretta McNicholas to John E. Barron and recorded in G.L.B. 2005 folio 491, thence binding reversely on part of said line and binding reversely on the third and second lines of the land conveyed in a deed from William A. Beale to William A. Fishpaw, Sr. and recorded in O.T.G. 4795 folio 691 the three following courses viz: (11) North 78° 30' West 8.30 feet (12) North 77° 35' 55" West 75.00 feet and (13) North 13° 54' East 139.64 feet to the place of beginning.

Description to Accompany Zoning Application Reclassification from R-10 to B.L.

August 18, 1969
Sheet 2

Containing 5.019 acres of land more or less.

The bearings in the above description are referred to those in deed from Henry B. McGloone to Bennett F. Bussey and recorded in L.M.B. 222 folio 198.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204OLIVER L. NICHOLS
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
PUBLIC PLANNING

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENTW. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204

October 3, 1969

RE: Type of Hearings Reclassification from R-10 and R-12 zone to an R-12 zone. Location: Corner of York Rd. & Church Lane. Petitioner: Clarence M. Allison, et al. Committee Meeting of Sept. 23, 1969. 8th District. Item 59.

Dear Sir:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a tavern, with an existing building to the south. The property running from York Road west would be vacant land with a tree line along the western property line. The property to the north is improved with a 7-11 store and service stations to the east with the Baltimore County Maintenance Garage and shop area, and a shopping center. The property to the south is unimproved vacant property. The property to the west is a portion of the St. Joseph's Catholic Church. A portion of the road frontage is improved as far as concrete curb and gutter are concerned along Church Lane and York Road.

BUREAU OF ENGINEERING

Highways:

York Road is a State road; therefore, this site will be subject to State Roads Commission review, and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

Church Lane is an existing County road which will be improved in the future as a 40-foot closed section with flexible type pavement on a 50-foot right-of-way. Highway improvements and a 6-foot minimum highway right-of-way widening will be required along the frontage of this property.

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204
Item 59 Page 2

October 3, 1969

Highways (Continued)

In connection with any subsequent grading or building permit applications. Highway contract drawings are currently being prepared for the future improvements, and information in regard to the horizontal and vertical alignment may be obtained from the Bureau of Engineering. The grading of the subject property should be designed so that the finished elevations are compatible with the proposed roadway curb grades.

The entrance locations on Church Lane are subject to approval by the Department of Traffic Engineering.

Storm Drains:

York Road is a State road; therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

No provisions for accommodating storm water or drainage have been indicated on the subject plans; however, storm drainage facilities will be required in connection with any subsequent grading or building permit applications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204
Item 59 Page 3

October 3, 1969

Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

Water:

Public water supply is available to serve this property.

BUREAU OF TRAFFIC ENGINEERING:

The subject site as presently zoned will generate 950 trips per day. As proposed, the subject site could generate 3200 trips per day. Based on the existing capacity problems of York Road, this office considers any increase in trip density in the York Road Corridor undesirable.

BOARD OF EDUCATION:

No hearing on student population.

PLANS REVIEW DIVISION:

No comment until construction drawings are submitted to this office. Applicant shall abide by Baltimore County Building Codes.

FIRE DEPARTMENT:

Petitioner shall be required to comply with all Fire Department requirements when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204
Item 59 Page 4

October 3, 1969

STATE ROADS COMMISSION:

There is an 80' right of way proposed for York Road that must be indicated on the plan. The radius of the curb return at the corner must be 30' and must be as indicated on the plan. The entrances to the Service Station must be of a depressed curb type.

The roadside curb along the Service Station frontage is to be 30' from and parallel to the center line of York Road. The curb is to taper into the existing curb fronting the adjacent property to the south from the north side of the monumental entrance.

The plan must be revised prior to the hearing. The entrances on York Road will be subject to State Roads Commission approval and permit.

PROJECT PLANNING DIVISION:

The developer should be aware that this area is under study and it is proposed to bring Cranbrook Road through this property to the southeast corner. Cranbrook Road is to help serve the area between York Road and the Harrisburg Expressway - a area planned for intensive use.

For further information the developer should contact Mr. Walter Kretzschmar, in Room 201, of the Jefferson Building.

ZONING ADMINISTRATION DIVISION:

The petitioner indicates a service center is proposed on the southwest corner of Church Lane and York Road. By the layout of the site it would appear to be a service station. The petitioner will be required to clarify the use for this building, and also if it is proposed to be an automotive service station, a blow-up of the service station site itself will be required.

The petitioner will be required to submit a brief to this office indicating his reasons why this reclassification should be granted. The reason the brief must be filed is that the Planning Board is adopting new maps which will cover the whole Baltimore County area. This brief must be submitted to this office prior to a hearing date being assigned.

Very truly yours,


OLIVER L. NICHOLS, Chairman
OLN:JO
Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward R. Hoadley, Deputy Zoning Commissioner
FROM: Mr. George E. Geors, Jr., Director of Planning
SUBJECT: Petition 770-121-BA, Reclassification from R-10 and R-12, to B.L. Zone. Variance to permit 5 entrances instead of 2 as allowed for a total frontage of 735 feet. Southwest corner of York Road and Church Lane. Bennett Fuses, et al, Petitioners.
8th District
HEARING: Monday, January 5, 1970 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 and R-12, to B.L. zoning together with a variance for the number of entrances.

We note that the Planning staff now is recommending Business Major zoning for all of the subject property as a part of its recommendations for establishing opportunities for a major commercial complex at the intersection of York and Cranbrook Roads in our proposed comprehensive plan. Our dilemma is that certain additions to the road system are in need to add to additional growth or are required to accommodate present development. Our plan is proposing a parallel road system west of York Road with a connection to Cranbrook Road which would go through the subject property. It seems not to be feasible to widen Church Lane. Until these issues are resolved, it seems premature to change the zoning status of the subject property.

Similarly, any consideration of variances as to number of entrances is premature pending resolution of the road issues. We note, however, that the variance is being requested here to accommodate an automotive service station as a component part of a planned shopping center. Granting such variances would be contrary to the spirit and intent of the regulations in the sense that a free standing service station would be allowed with very little integration with the rest of the center but with continued traffic frictions allowed because of the separate entrances on either York Road or Church Lane. The Planning staff would consider an additional joint entrance on Church Lane which could subsequently accommodate development on the tract occupied by two dwellings. It would consider also one additional entrance on York Road. Beyond that point the objectives of the Zoning Regulations will have been lost.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Dec. 15, 1969
BILLED

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Dec. 15, 1969
BILLED

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Dec. 15, 1969
BILLED

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Dec. 15, 1969
BILLED

TELEPHONE 823.9000 EXT. 227

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Dec. 15, 1969
BILLED

To: W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing this
1969 day of December, 1969.

Petitioner: Clarence M. Allison, et al
Petitioner's Attorney: W. Lee Harrison, Esq. Reviewed by: John G. Rose
Chairman of Advisory Committee

RETURN THIS PORTION WITH YOUR REMITTANCE
TOTAL AMOUNT: \$25.00
COUNTY: 25.00
CITY: 0.00

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

ORIGINAL

OFFICE OF
THE TOWSON TIMES
TOWSON, MD. 21204 December 22, 1969

CERTIFY, that the annexed advertisement of
Hardisty, Deputy Zoning Commissioner
of Baltimore County, is a weekly newspaper published in
Towson, Maryland, once a week for One
22nd day of Dec., 1969, that is to say, the same
as the issue of December 18, 1969.

STROMBERG PUBLICATIONS, Inc.

By: Carl Morgan

65105

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8TH Date of Posting: Dec. 20, 1969

Posted for: RECLASSIFICATION FROM R-10 AND R-12 TO B.L. ZONING FOR VARIANCE TO PERMIT SEVEN ENTRANCES INSTEAD OF 2 AS ALLOWED FOR A TOTAL FRONTAGE OF 735 FEET

Petitioner: DEANETTE BUREAU

Location of property: SW COR. OF YORK RD. & CHURCH LANE

Location of Sign: 1/2 S. OF CHURCH LANE, 400 FT. E. OF YORK RD.
344 N. OF YORK RD. S. OF CHURCH LANE, S. OF N. OF YORK RD.
250 FT. S. OF CHURCH LANE

Posted by: Charles J. Neal Date of return: JAN. 2, 1970

Signature

70-12-1 RA

TABULATION:

TOTAL AREA OF TRACT - 6.547 AC.
 AREA TO BE REZONED - 6.493 AC.
 STORE AREA - 89,600 SQ. FT.
 PARKING REQUIRED - 195 SPACES
 PARKING SHOWN - 261 SPACES (168)
 EXISTING ZONING - BR & R-10
 REQUESTED ZONING - B1

VARIANCES REQUESTED - From Section 405.5A, 2A (10) to permit 5 entrances instead of 3 as allowed for a total frontage of 735 ft.

EXISTING ZONING - R-10
 EXISTING USE - RESIDENTIAL

EXISTING ZONING - BR
 EXISTING USE - FOOD STORE

EXISTING ZONING - BR
 EXISTING USE - SHOPPING CENTER

CRANP. ROAD

EXISTING ZONING - BR
 EXISTING USE - VACANT

ALMS HOUSE RD

YORK ROAD

EX. BALTIMORE COUNTY MAINTENANCE GARAGE

OFFICE COPY

MAD #8
 SEC. 3-D
 NW-16-A
 BL-A

EXISTING ZONING - R-10
 EXISTING USE - VACANT

EXISTING ZONING - BR
 EXISTING USE - OFFICES

EXISTING ZONING - BR
 EXISTING USE - VACANT

RELATED UTILITY DRAWINGS	
- YORK ROAD -	- CHURCH LANE -
WATER 52-002 (12')	WATER 24-016 (2')
52-007 (22')	52-017 (22')
52-008 (22')	52-018 (22')
SANITARY 66-021 (18')	66-022 (18')
66-023 (18')	66-024 (18')

REVISED PLANS



BY: Clarence M. Allison, et al
 OFFICE COPY

PLAT TO ACCOMPANY ZONING APPLICATION
 RECLASSIFICATION FROM R-10 TO B1
 YORK ROAD & CHURCH LANE

BALTIMORE, MD.
 SCALE: 1"=100'

DATE: 10-27-70
 REVISION: 10-27-70
 REVISION: 10-27-70

PETITION FOR DECLASSIFICATION AND TABULATION
 BY: [Name]
 LOCATION: [Address]
 DATE: [Date]
 PUBLIC: [Name]
 The Board of Commissioners of Baltimore County, Maryland, has received a petition from [Name] for a variance from the zoning ordinance of Baltimore County, Maryland, to permit the use of the property for [use]. The Board of Commissioners has considered the petition and has determined that the proposed use is in conformity with the zoning ordinance of Baltimore County, Maryland, and that the proposed use is in the public interest. The Board of Commissioners has therefore granted the petition and has declared the property to be a [use].

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 13, 1970

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each day of [Month] 1970, the first publication appearing on the [Date] day of [Month] 1970.

THE JEFFERSONIAN

Cost of Advertisement, \$ [Amount]